

CRB  
555**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983****FILED**

FEB 27 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAName Gomez Timoteo

(Last)

(First)

(Initial)

Prisoner Number F01170SAN QUENTIN STATE PRISONInstitutional Address SAN QUENTIN 94974**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA****CRB**

(Enter the full name of plaintiff in this action.)

vs.

**CV****08****1176**

Case No.

(To be provided by the clerk of court)

**COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C. §§ 1983**

(Enter the full name of the defendant(s) in this action))

**(PR)****[All questions on this complaint form must be answered in order for your action to proceed..]****I. Exhaustion of Administrative Remedies****[Note:** You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]A. Place of present confinement SAN QUENTIN

B. Is there a grievance procedure in this institution?

YES ☒ NO ( )

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ☒ NO ( )

D. If your answer is YES, list the appeal number and the date and result of the

COMPLAINT

- 1 -

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1 appeal at each level of review. If you did not pursue a certain level of appeal,  
2 explain why.

3 1. Informal appeal my APPEAL WAS NEVER ANSWERED  
4 By CAPTAIN DONAHUE AND THE TIME LIMITATIONS  
5 ARE WAY OVER DUE 2. First  
6 formal level \_\_\_\_\_

7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 3. Second formal level \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_ 4 Third  
12 formal level \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

15 E. Is the last level to which you appealed the highest level of appeal available to  
16 you?

17 YES ☒ NO ( )

18 F. If you did not present your claim for review through the grievance procedure,  
19 explain why. \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

## 22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
24 if any.

25 TIMOTEO GOMEZ SANQUENTIN STATE PRISON SANQUENTIN CA 94174  
26 \_\_\_\_\_  
27 \_\_\_\_\_

28 B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

CAPTAIN DONAHUE, WARDEN AYERS. WE AS PAISAS WANT A  
RULE MADE (MANDATORY) NOT TO BE PLACED IN THE SAME CELLS AS THOSE  
GANG MEMBERS. (PLEASE OVERLOOK THE STATEMENT AFTER THE TWO EMPLOYEES  
NAMES)

### III.

#### Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

BEFORE I BEGIN MY STATEMENT I LIKE TO BRING TO YOUR ATTENTION THE DEFINITION OF (PAISAS) WHICH MEANS LATINOS FROM DIFFERENT LATINO AMERICA COUNTRIES IN WHICH WE ARE NOT GANG MEMBERS MY PURPOSE FOR MAKING THIS COMPLAINT IS THAT WHEREAS WE ARE IN BARBARIC SECTION AND US AND WE AS PAISAS ARE ALWAYS PUT ON LOCKDOWN AND OUR PRIVILEGES ARE TAKEN FROM US FOR THE ACTIONS OF GANG MEMBERS WE CAN'T GO TO CANTINA, YARD TIME NOR LAW LIBRARY. THESE OFFICERS PURPOSELY PUT US WITH THESE GANG MEMBERS BUT WE DON'T WANT TO BE IN THE SAME CELLS WITH THEM I HAVE WRITTEN A BOOK COMPLAINT TO THE FACILITY CAPTAIN (CAPT DONAHUE) AND THE WARDEN (AYERS) WHICH THEY BOTH REFUSE TO ANSWER WE AS PAISAS SHOULDN'T BE CONSTANTLY PUNISHED FOR WHAT GANG MEMBERS DO WE WANT TO BE TREATED LIKE OTHER NORMAL PRISONERS NOT TREATED AS IF WE'RE GANG MEMBERS CAPT DONAHUE & WARDEN AYERS BOTH REFUSED TO DO ANYTHING ABOUT MY COMPLAINT (BOOK)

#### IV. Relief

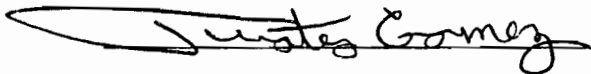
Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

WE AS (PAISAS) WANT TO BE IN THE CELLS <sup>TOGETHER</sup> AND NOT BE IN THE CELLS

1 With gang members because it affects our (us Paisas) prog-  
2 ram and our privileges are taken from us for their actions, we  
3 as Paisas would like the court to make a mandatory rule not to put  
4 Paisas in the same cells with gang members

5  
6  
7 I declare under penalty of perjury that the foregoing is true and correct.

8  
9 Signed this <sup>Timoriso</sup>~~Gomez~~ day of 2/20/, 2008

10  
11 

12 (Plaintiff's signature)

Timoteo Gomez Folio 1822

PAQUENTIN CA 94474  
25 2008 NORTH BAY CA 949  
RECEIVED  
FEB 29 2008  
RICHARD W. WIEING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TO CLERK OF THE UNITED STATES  
DISTRICT COURT OF NORTHERN DISTRICT OF CAL  
450 GOLDEN GATE AVE Box 360  
SAN FRANCISCO CA 94102